



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Serial No.: 10/648,088

Atty Docket No.: 87785.001

Filing Date: August 26, 2003

Group Art Unit: 3736

Applicant(s): MORRISON, Allan D.

Examiner:

Title: **STORAGE CONTAINER FOR BIOLOGICAL SAMPLE AND METHOD FOR ANALYZING THE SAMPLE**

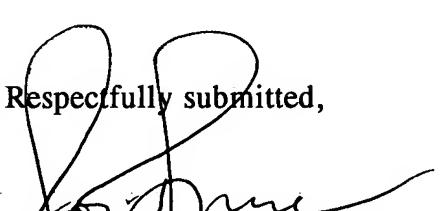
**TRANSMITTAL OF CERTIFIED COPY
OF PRIORITY APPLICATION**
(35 USC § 119(b)(3) and 37 CFR 1.55(a)(2))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To the Commissioner:

In accordance with 35 USC §119(b)(3) and 37 CFR §1.55(a)(2), enclosed is a certified copy of Australian Patent Application Serial No. 2002951034, filed August 26, 2002, to which the present application claims priority.

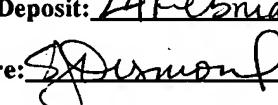
Respectfully submitted,


Joseph T. Leone, Reg. No. 37,170
DEWITT ROSS & STEVENS S.C.
Excelsior Financial Centre
8000 Excelsior Drive, Suite 401
Madison, Wisconsin 53717-1914
Telephone: (608) 831-2100
Facsimile: (608) 831-2106

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date of Deposit: 24 February 2004

Signature: 



**Patent Office
Canberra**

I, SMILJA DRAGOSAVLJEVIC, TEAM LEADER EXAMINATION SUPPORT AND SALES hereby certify that annexed is a true copy of the Provisional specification in connection with Application No. 2002951034 for a patent by BIZPAC (AUSTRALIA) PTY LTD as filed on 26 August 2002.

WITNESS my hand this
Third day of September 2003

S. Dragosavljevic

**SMILJA DRAGOSAVLJEVIC
TEAM LEADER EXAMINATION
SUPPORT AND SALES**

AUSTRALIA

Patents Act 1990

PROVISIONAL SPECIFICATION

APPLICANT: **BIZPAC (AUSTRALIA) PTY LTD**

Invention Title: **TESTING PROCESS AND APPARATUS**

The invention is described in the following statement:-

TESTING PROCESS AND APPARATUS

The present invention relates to the sampling of materials for analysis. In particular, the present invention relates to a method for analysing samples and to an apparatus for same.

Materials that have been collected in the form of samples may often need to be stored for extended periods often to be subjected to further analysis. There is a risk that the storage of such samples for extended periods may result in contamination, either inadvertent or deliberate. There is required a system whereby samples may be stored for an extended period in a secure container and can be analysed intermittently over a period of time without compromising the integrity of the stored sample.

According to the present invention we have now found a method of analysing a sample comprising the steps of placing a sample into a container having docking said container with a testing apparatus having an interlock means selected to prevent tampering with said sample during the sampling thereof; accessing the compartment and analysing the sample; closing access to the compartment prior to removing the container from the interlock means and returning the container to storage.

The present invention also provides a container for the storage of samples for analysis, wherein said container includes a compartment for storage of said sample and a closure for sealing said compartment; sealing said compartment with said closure wherein said sealed closure incorporates a locking mechanism whereby the sealed closure is manually inoperable thereafter.

The present invention also includes a testing apparatus having a docking station including an interlock means selected to prevent tampering with a sample contained in a compartment of a container during analysis of the sample.

This invention has particular but not exclusive application to samples that may be used in medical tests. For example medical tests may be conducted using samples of blood or urine, saliva or urine. The samples may comprise dried blood, saliva or urine retained on a piece of paper card or a swab.

5 The analysis of the samples may be conducted by punching a selected portion of the sample from the piece of card or swab which punched section is then removed for analysis. The remaining sample may be returned to the storage space in the container for later analysis. In our earlier application, International Patent Application No. PCT/AU99/00485 (WO 99/65625) a punching apparatus is described for this
10 purpose.

In a preferred embodiment of the present invention a sample filter paper card may be effectively locked into a container immediately after it has been collected. In a preferred embodiment at least a portion of the container may be transparent and an identification label may be affixed to the inside of the container whereby it is
15 inaccessible from external tampering. For example a barcode may be placed on the inside of the container. The sample in the form of a card may be fixed to a small sliding platform inside the container whereby when the sample is processed, the sliding platform is withdrawn from the container whilst the container is docked with the sampling apparatus.

20 In a preferred configuration of the present invention the container may be unlocked with a key that may be integral with the testing apparatus. On docking with the sampling device and interlocking therewith the key may be positioned to allow access to the sample. The container may include a memory to identify the number of times the sample has been accessed and including the time and date of each accession. This

identification may be achieved by using a physical tab that is broken or by using a form of electronic memory.

Advantageously the present invention will permit the rapid processing of a large number of samples in comparison to the current practice. Current practice generally requires a sample to be taken on a piece of filter paper which has a wrapper that folds around the sample part of the card. This is then placed in a paper envelope and sealed with sticking tape and a barcode placed upon the envelope. The envelope is then sent to a central processing point where, at an appropriate time, the envelope is opened, the sample card is unwrapped and a small part of the sample is then punched out into a microtitre plate. This process, including the punching may take up to half a minute. The present invention may reduce the sampling process down to less than ten seconds.

Whilst the present application has been described in relation to the analysis of biological samples persons skilled in the art will readily understand that it will have applications in other fields.

It will of course be understood that the above has been given by way of illustration and that all modifications and variations thereto as would be apparent to persons skilled in the art are deemed to fall within the broad scope and ambit of this invention.

DATED THIS SEVENTH DAY OF SEPTEMBER 2001.

BIZPAC (AUSTRALIA) PTY LTD

BY

PIZZEYS PATENT AND TRADE MARK ATTORNEYS